

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, OCTOBER 5, 2005**

UNAPPROVED
NOVEMBER 1, 2005

PRESENT: Walter L. Alcorn, Commissioner At-Large
Frank A. de la Fe, Hunter Mill District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
James R. Hart, Commissioner At-Large
Nancy Hopkins, Dranesville District
Ronald W. Koch, Sully District
Kenneth A. Lawrence, Providence District
Rodney L. Lusk, Lee District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: John R. Byers, Mount Vernon District
Peter F. Murphy, Jr., Springfield District

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The meeting was called to order at 8:15 p.m. by Secretary Suzanne F. Harsel, in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Lawrence announced his intent to defer the public hearing on PCA 92-P-036, Jean M. McMahon, Tina Ejtemai, and Vafa Mostaghim, from Thursday, October 6, 2005 to Thursday, November 17, 2005.

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Commissioner Wilson MOVED THAT THE PUBLIC HEARING ON THE PUBLIC FACILITIES MANUAL AMENDMENT REGARDING DRAINAGE DIVIDES BE FURTHER DEFERRED TO A DATE CERTAIN OF DECEMBER 8, 2005.

Commissioners Lawrence, Hall, and Hopkins seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioners Byers and Murphy absent from the meeting.

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Commissioner Hart announced that there would be two more public work sessions hosted by County staff on the proposed Zoning Ordinance Amendment regarding setbacks, fence and wall height, lot width, and building height. He noted that the public meetings were as follows:

- October 6, 2005 at 7:30 p.m. in the Fairfax County Government Center, Conference Rooms 9 and 10, 12000 Government Center Parkway, Fairfax, Virginia; and
- October 11, 2005 at 7:30 p.m. in Braddock Hall, 9002 Burke Lake Road, Burke, Virginia.

Commissioner Hart pointed out that Commissioners would be able to attend the October 11th meeting since there was no scheduled Commission meeting that night.

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Commissioner de la Fe announced that the Planning Commission's Transportation Committee would meet on Wednesday, October 26, 2005, at 7:30 p.m. in the Board Conference Room, to receive an update on the Transportation Element of the Comprehensive Plan. He noted that a public hearing date had not been scheduled yet.

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Secretary Harsel reminded Commissioners that the Commission would not meet next week.

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FS-P05-25 - NEXTEL, 11250 Waples Mill Road

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FS-P05-25.

Commissioners Hart, de la Fe, and Wilson seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioners Byers and Murphy absent from the meeting.

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RZ 2005-SU-013 - RENAISSANCE HOUSING CORP. A/K/A RENAISSANCE HOLDINGS CORPORATION

FDP 2005-SU-013 - RENAISSANCE HOUSING CORP. A/K/A RENAISSANCE HOLDINGS CORPORATION

RZ 2005-SU-011 - RENAISSANCE AT RUGBY ROAD II, LLC (Decisions Only)

(The public hearing on these applications was held on September 28, 2005. A complete verbatim transcript of the decisions made is included in the date file.)

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2005-SU-013, SUBJECT TO THE PROFFERS DATED SEPTEMBER 30, 2005.

Commissioner Lusk seconded the motion which carried by a vote of 9-0-1 with Commissioner Lawrence abstaining; Commissioners Byers and Murphy absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2005-SU-013, SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF RZ 2005-SU-013.

Commissioner Lusk seconded the motion which carried by a vote of 9-0-1 with Commissioner Lawrence abstaining; Commissioners Byers and Murphy absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF THE SERVICE DRIVE REQUIREMENT ALONG LEE JACKSON MEMORIAL HIGHWAY.

Commissioner Lusk seconded the motion which carried by a vote of 9-0-1 with Commissioner Lawrence abstaining; Commissioners Byers and Murphy absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF THE 600 FOOT MAXIMUM LENGTH FOR A PRIVATE STREET.

Commissioner Lusk seconded the motion which carried by a vote of 8-1-1 with Commissioner Wilson opposed; Commissioner Lawrence abstaining; Commissioners Byers and Murphy absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF THE HEIGHT LIMITATION OF FENCES TO PERMIT A NOISE BARRIER TO EXCEED 7 FEET IN HEIGHT, 9 FEET MAXIMUM.

Commissioner Lusk seconded the motion which carried by a vote of 8-0-2 with Commissioners Hall and Lawrence abstaining; Commissioners Byers and Murphy absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT IN FAVOR OF THAT SHOWN ON THE CDP/FDP.

Commissioner Lusk seconded the motion which carried by a vote of 9-0-1 with Commissioner Lawrence abstaining; Commissioners Byers and Murphy absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2005-SU-011, SUBJECT TO THE PROFFERS DATED SEPTEMBER 30, 2005.

Commissioners Hart and Lusk seconded the motion which carried by a vote of 9-0-1 with Commissioner Lawrence abstaining; Commissioners Byers and Murphy absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF THE SERVICE DRIVE REQUIREMENT ALONG LEE JACKSON MEMORIAL HIGHWAY.

Commissioner Lusk seconded the motion which carried by a vote of 9-0-1 with Commissioner Lawrence abstaining; Commissioners Byers and Murphy absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF THE 600 FOOT MAXIMUM LENGTH FOR A PRIVATE STREET.

Commissioner Lusk seconded the motion which carried by a vote of 8-1-1 with Commissioner Wilson opposed; Commissioner Lawrence abstaining; Commissioners Byers and Murphy absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF THE HEIGHT LIMITATION OF FENCES TO PERMIT A NOISE BARRIER TO EXCEED 7 FEET IN HEIGHT.

Commissioner Lusk seconded the motion which carried by a vote of 9-0-1 with Commissioner Lawrence abstaining; Commissioners Byers and Murphy absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF THE BARRIER REQUIREMENT ALONG THE NORTHERN PROPERTY BOUNDARY.

Commissioner Alcorn seconded the motion which carried by a vote of 9-0-1 with Commissioner Lawrence abstaining; Commissioners Byers and Murphy absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order of the agenda:

1. SE 2005-MA-019 - VIVLOW & COMPANY, D/B/A COUNTRY WOODLAND
2. SE 2005-MA-021 - SAFEWAY INC.
3. SEA 83-D-095-3 - GREAT FALLS VILLAGE GREEN DAY SCHOOL

This order was accepted without objection.

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SE 2005-MA-019 - VIVLOW & COMPANY, D/B/A COUNTRY WOODLAND - Appl. under Sect. 3-204 of the Zoning Ordinance to

permit a child care center. Located at 7152 Woodland Dr. on approx.
1.84 ac. of land zoned R-2. Tax Map 71-3 ((7)) 24A and 25A.
MASON DISTRICT. PUBLIC HEARING.

Jeremy Root, with Blankingship & Keith, PC, reaffirmed the affidavit dated August 23, 2005. Commissioner Hart disclosed that his law firm, Hart & Horan, PC, had a pending case with Mr. Root's law firm but there was no financial relationship and it would not affect his ability to participate in this case.

Commissioner Hall asked that Secretary Harsel ascertain whether there were any speakers for this application. There being none, she asked that presentations by staff and the applicant be waived and the public hearing closed. No objections were expressed; therefore, Secretary Harsel closed the public hearing and recognized Commissioner Hall for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2005-MA-019, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED SEPTEMBER 28, 2005.

Commissioners de la Fe and Alcorn seconded the motion which carried unanimously with Commissioners Byers and Murphy absent from the meeting.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF TRANSITIONAL SCREENING REQUIREMENTS ALONG THE NORTH, EAST, AND WEST PROPERTY BOUNDARIES IN FAVOR OF EXISTING PLANTING MATERIALS AND AN ADDITIONAL ROW OF EVERGREENS TO BE PLANTED ALONG THE SOUTHERN PROPERTY BOUNDARY TO SUPPLEMENT EXISTING VEGETATION.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioners Byers and Murphy absent from the meeting.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF BARRIER REQUIREMENTS ALONG ALL PROPERTY BOUNDARIES IN FAVOR OF EXISTING FENCING MATERIAL.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioners Byers and Murphy absent from the meeting.

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SE 2005-MA-021 - SAFEWAY INC. - Appl. under Sect. 9-620 of the Zoning Ordinance to permit a waiver of certain sign regulations. Located in the Baileys Crossroads Shopping Center on approx. 25.08 ac. of land zoned C-6, HC, SC and CRD. Tax Map 61-2 ((1)) 72C. MASON DISTRICT. PUBLIC HEARING.

Frank Stearns, Esquire, with Venable LLP, reaffirmed the affidavit dated September 26, 2005. Commissioner Hart disclosed that his law firm, Hart & Horan, PC, had a pending case with Mr. Stearns' law firm but there was no financial relationship and it would not affect his ability to participate in this case.

Kristen Abrahamson, Zoning Evaluation Division, Department of Planning and Zoning, introduced Carrie Lee, a new planner.

Commissioner Hall asked that Secretary Harsel ascertain whether there were any speakers for this application. There being none, she asked that presentations by staff and the applicant be waived and the public hearing closed. No objections were expressed; therefore, Secretary Harsel closed the public hearing and recognized Commissioner Hall for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2005-MA-021, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED OCTOBER 5, 2005, AND REVISED AS FOLLOWS:

- CONDITION NUMBER 4 TO READ: "NO SIGN PERMITS WILL BE ISSUED FOR THIS STRUCTURE UNTIL THE TEMPORARY BANNER WHICH SAYS, 'STARBUCKS,' HAS BEEN REMOVED."
- ADD A THIRD BULLET TO CONDITION NUMBER 5 TO READ: "ONE EXISTING BUILDING-MOUNTED SIGN ON THE SOUTHEAST SIDE FACING WALL OF BUILDING C."

Commissioner Lawrence seconded the motion which carried unanimously with Commissioners Byers and Murphy absent from the meeting.

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SEA 83-D-095-3 - GREAT FALLS VILLAGE GREEN DAY SCHOOL - Appl. under Sect. 3-204 of the Zoning Ordinance to amend SE 83-D-095 previously approved for a child care center and nursery school with a maximum daily enrollment of 225 children with not more than 125 children on-site at any one time to permit a change in

development conditions to permit an increase in the maximum daily enrollment of up to 250 children with not more than 150 children on-site at any one time. Located at 790 Walker Rd. on approx. 4.30 ac. of land zoned R-2. Tax Map 13-1 ((3)) A. DRANESVILLE DISTRICT. PUBLIC HEARING.

Tara Wiedeman, Esquire, with Walsh, Colucci, Lubeley, Emrich & Terpak, PC, reaffirmed the affidavit dated August 26, 2005. There were no disclosures by Commission members.

John David Moss, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Commissioner Hopkins recommended that staff and the applicant revise Development Condition Number 11 to indicate that the septic system pumping station would be located 12 feet above the ground surface and the outside electrical junction box would be located at least 6 inches above the ground surface. She further recommended that staff and the applicant address the relocation of trees and a fence on top of the drain field in a new condition. She then asked staff and the applicant to develop a condition agreeable with the citizens that would require signage to alert drivers that children were crossing Walker Road to the school. Mr. Moss agreed to address all of these issues in revised development conditions.

In response to questions from Commissioner Hart, Mr. Moss explained that the application did not require a replacement septic field because no physical improvements would be made to the site and the proposed student enrollment would still be under capacity.

Responding to a question from Commissioner Lawrence, Ms. Abrahamson noted that the Urban Forester would decide the breed of trees that would replace the deceased dogwood trees on the eastern boundary of the subject property.

In response to a concern expressed by Commissioner Alcorn, Ms. Abrahamson indicated that staff could add a development condition requiring all pick-ups and drop-offs to occur onsite to discourage parents from walking their children across Walker Road.

Ms. Wiedeman stated that the applicant would work with staff to address the concerns expressed by the Health Department regarding the septic system. She explained that the applicant had addressed the issues raised by the Great Falls Citizens Association's Land Use Committee by adding Development Condition Number 6 and those of the residents of Thunderhill Court by proposing language be added to the condition requiring that parents be informed about established drop-off and pick-up procedures and discouraging them from utilizing Thunderhill Court for parking and turning around. She noted that these issues had also been addressed at a parent meeting held during the back to school activities last week. She pointed out that the school had a staggered arrival and dismissal schedule and carpooling was encouraged in the parent handbook. She indicated that a letter of support dated October 5, 2005 had been sent by the Great Falls Citizens Association's Land Use Committee, a copy of which is in the date file.

Ms. Wiedeman added that the Executive Board had also voted to support the application. She noted that the residents of Thunderhill Court had suggested that a cautionary signal be erected on Walker Road to signify the school zone. She said the applicant would not object to the recommendation made by staff to add a condition requiring all pick-ups and drop-offs to occur onsite.

Responding to a question from Commissioner Hopkins, Ms. Wiedeman reported that the Great Falls Swim and Tennis Club located across Walker Road had a reciprocal agreement with the applicant to accommodate overflow parking, noting that staff members were encouraged to park at the club to allow parents to park at the school.

Secretary Harsel requested that during rebuttal the applicant address the issue concerning parents and children walking across Walker Road to attend the back to school activities at night.

Commissioner Hopkins recommended that a development condition be added to address carpooling procedures. Ms. Wiedeman agreed to her recommendation.

Commissioner de la Fe suggested that the applicant discourage but not prohibit parking on Thunderhill Court since it was a public street. Ms. Wiedeman concurred with his suggestion.

Commissioner Wilson recommended that the applicant lengthen the 10-minute intervals that pertained to the staggered arrival and dismissal schedule to 15 minutes and request that the Virginia Department of Transportation (VDOT) put up special signs on Thunderhill Court that prohibited parking within 15 feet of the corner. She further recommended that the last sentence of Condition Number 11 be revised to clarify who would be responsible for filing the updated maintenance program agreements. Ms. Wiedeman agreed to her last recommendation.

In response to a question from Commissioner Hart, Ms. Wiedeman stated that staff had agreed to postpone the transportation recommendations identified on the drawing in Appendix 4 of the staff report until the applicant had filed for future site modifications. Ms. Abrahamson concurred and said the reason staff had included the drawing in the staff report was to inform the applicant that staff would seek these improvements when a revised site plan was filed.

Responding to further questions from Commissioner Hart, Ms. Abrahamson explained that the parking spaces and travel aisle were currently allowed to overlap the public right-of-way; however, she noted that these uses would need to be moved and the drawing revised by staff when the site plan was amended. Ms. Wiedeman pointed out that the drawing was part of the previously approved Special Exception Plat.

In response to a question from Secretary Harsel, Ms. Abrahamson stated that modifications or improvements to the septic system would require site plan approval but not a public hearing. She mentioned that staff would notify the applicant that the road improvements would need to be made to obtain site plan approval.

Secretary Harsel requested that the applicant address the following in the rebuttal statement: how the children were transported from the local elementary school to the subject school, the number of school-age children that attended childcare, and the number of classes held per day.

Secretary Harsel called the first listed speaker and recited the rules for public testimony.

John Ulfelder, 9151 Old Dominion Drive, McLean, Co-Chairman of the Great Falls Citizens Association's Land Use Committee, referred to the letter of support dated October 5, 2005 from the committee. He noted that the committee had asked the applicant to include a new development condition indicating the staggered arrival and dismissal schedule, as reflected in Condition Number 6. He stated that the committee would endorse the suggestions for additional language and conditions that had been made this evening. He recommended that the proposed signage be a school zone warning sign located south of the school property on the east side of Walker Road.

Responding to questions from Commissioner Wilson, Mr. Ulfelder said the applicant had been discussing signage with a traffic consultant and the Dranesville District Supervisor's Office staff. He suggested that Condition Number 6 be clarified to state that reasonable measures would be implemented to discourage parents from using Thunderhill Court inappropriately and from crossing Walker Road to pick up and drop off their children.

Commissioner Alcorn commented that peer pressure seemed to be the most effective enforcement mechanism. Commissioner Wilson pointed out that the school staff could also educate the children on the appropriate drop-off and pick-up procedures.

Amy Meruani, 813 Constellation Drive, Great Falls, expressed concern about traffic in the area and requested that the Planning Commission and staff examine the traffic patterns more carefully. He recommended that the applicant establish an agreement to allow parents to park at the Village Green Shopping Center so they could walk to the school to pick up and drop off their children to keep traffic moving and avoid obstruction of Columbine Street.

In response to a question from Commissioner Hopkins, Ms. Abrahamson explained that Fairfax County Department of Transportation staff had consolidated the number of access points on Walker Road due to backups and potential conflicts. She said the consolidation and better management of the number of trips, not the addition of an entrance from Columbine Street, would improve the traffic situation.

Fred Zimmerman, 9807 Thunderhill Court, Great Falls, President of the Thunderhill Court Homeowners Association, expressed concern about safety of the children. He said the subject property was not suitable for constant expansions and concerns about the inadequate road network had not been addressed. He recommended that the County, in conjunction with VDOT, be required to accomplish the following: put up school zone signage including blinking lights to ensure that vehicles slowed down to a proper speed when passing by the school; and prohibit parking during school hours on Thunderhill Court. He said if these two requirements were not

met, then a traffic guard should be conditionally required to ensure the smooth flow of traffic as vehicles entered and exited the school during the peak hours to minimize the risk of accidents.

Responding to questions from Commissioner Hart, Mr. Zimmerman clarified that the proposed traffic guard would not be a crossing guard, but a police officer who would direct the vehicles entering and exiting the school at the top of the hill on Walker Road. He noted that public school buses stopped on both sides of Walker Road before and after school so children sometimes crossed the road.

Commissioner Wilson suggested that Mr. Zimmerman contact the public school system about changing the bus route to ensure that children would not need to cross Walker Road. Mr. Zimmerman replied that he would consider her suggestion.

There being no more speakers, Secretary Harsel called for a rebuttal statement from Ms. Wiedeman.

Ms. Wiedeman noted that approximately 60 to 70 people had attended the back to school activities each night and that 36 parking spaces would be provided onsite whereas only 20 were required. She stated that during special events, parents were allowed to park on the baseball diamond onsite, noting that it was rare for the Great Falls Swim and Tennis Club property to be utilized for parking. She pointed out that public school buses dropped off children to meet school staff at the appropriate side of Walker Road. She addressed the questions from Secretary Harsel by stating that the school operated a shuttle to and from Forestville Elementary and Colvin Run Elementary Schools; approximately 17 school-age children attended childcare; and two classes were held in both the mornings and the afternoons. Ms. Wiedeman described the staggered arrival and dismissal schedule and said it was an efficient system and backups onto the public right-of-way on Walker Road were rare. She indicated that the applicant agreed that cautionary signage would be helpful and accepted the proposed condition requiring all pick-ups and drop-offs to occur onsite. She said the applicant had been responsive to the community by including language in Condition Number 6 that strongly discouraged parents from using Thunderhill Court. She noted that the applicant would further work with the community and staff to address concerns.

Secretary Harsel called for concluding staff remarks from Mr. Moss, who declined.

In response to a question from Commissioner Hopkins, Ms. Abrahamson stated that staff could not restrict parking on Thunderhill Court, which would not meet the criteria for a Residential Parking Permit District. She noted that the proposed condition that would require all pick-ups and drop-offs to occur onsite would be an incentive for the applicant to monitor the site to prevent violations.

There were no further comments or questions from the Commission; therefore, Secretary Harsel closed the public hearing and recognized Commissioner Hopkins for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Hopkins MOVED THAT THE PLANNING COMMISSION DEFER DECISION ON SEA 83-D-095-3 TO A DATE CERTAIN OF OCTOBER 6, 2005, WITH THE RECORD REMAINING OPEN FOR WRITTEN OR ELECTRONIC COMMENTS.

Commissioners Lawrence and Hart seconded the motion which carried unanimously with Commissioners Byers and Murphy absent from the meeting.

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The meeting was adjourned at 9:52 p.m.
Suzanne F. Harsel, Secretary
Walter L. Alcorn, Parliamentarian

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Kara A. DeArrastia

Approved on: _____

Linda B. Rodeffer, Clerk to the
Fairfax County Planning Commission